

**Fire Safety Code Board
Of Appeal and Review
November 13, 2012**

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 13, 2012. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Jasparro, Jackson, Sylvester, Burlingame, Blackburn and Richard. Commissioners Walker and Pearson were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.

The following cases were heard.

APPEAL #120122: Ms. Carla Rei, for the property located at 295 Warwick Neck Avenue in Warwick. DSFM David Cionfola appeared for the State Fire Marshal's Office and ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Richard, to grant a variance to allow the second floor space as storage with no day care use, and to grant a variance, based on structural hardship, for the non-conforming treads and risers. The motion passed with Commissioner Burlingame in opposition.

APPEAL #120127: Dr. Reppa M. Cottrell, for the property located at 619 West Greenville Road, North Scituate. Commissioner Jasparro recused himself from consideration of this case. ADSFM Karl Petching appeared for the North Scituate Fire Marshal's Office. It was determined that this facility will be re-inspected by the North Scituate Fire Marshal and the Applicant may return before the Board if relief is found to be necessary.

APPEAL #120128: Mr. Steve Ciampanelli, for the property located at 2102 Elmwood Avenue in Warwick. ADSFM Michael Matteson appeared for the Warwick Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of ninety (90) days in which to bring this facility into compliance with the RI Fire Code. The motion was unanimous.

APPEAL #060968A: Mr. Daniel Brito, for the property located at 209 Cottage Street in Pawtucket. DSFM Cynthia Dehler appeared for the State Fire Marshal's Office. Chairman Newbrook recused himself from consideration of this case. Commissioner Jackson made a motion, seconded by Commissioner Sylvester, to grant the Applicant's requested relief, based upon structural hardship. The motion was unanimous.

APPEAL #120123: Mr. L. Joseph Testa, for the property located at 164 Delaine Street, Providence. DSFM Cynthia Dehler appeared for

the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Vice Chairperson Filippi and Commissioner Richard, to grant the Applicant a time variance of thirty (30) days to submit a plan of action to the State Fire Marshal's Office for the correction of the outstanding deficiencies within this facility, and an additional 120 days to implement that plan. The State Fire Marshal's Office may extend either or both of the above timelines for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #120121: Mr. William Brackett, for the property located at 59 Main Street in East Greenwich. ADSFM Steven Hughes appeared for the East Greenwich Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Dias, to grant the Applicant's requested relief based upon structural hardship, and also granted relief on the remoteness of exit discharge based upon the provisions outlined in the 2012 code. The motion passed over the opposition vote of Commissioner Blackburn.

APPEAL #120125: Mr. Peter Tagiuri, for the property located at 96 Bowen Street in Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Richard, to grant the Applicant's requested relief from the provisions of section 31.3.5.1. The motion was unanimous.

APPEAL #120130: Tuck & Tuck Architects, for the property located at 93-95 Hope Street in Providence. Assistant Deputy State Fire Marshals Raymond Pacheco and Timothy Lutz appeared for the Providence Fire Marshal's Office. Commissioner Burlingame made a motion, seconded by Commissioner Jasparro, to grant the Applicant's requested relief from the provisions of section 31.3.5.1. The motion was unanimous.

APPEAL #120126: J. Kai Costanzo, for the property located at 231 Water Street in New Shoreham. Chief of Inspections Scott Caron and Deputy State Fire Marshal Michael Macaruso appeared for the State Fire Marshal's Office. Vice Chairperson Filippi recused herself from consideration of this case. Commissioner Jackson made a motion, seconded by Commissioner Dias, to reaffirm previous variances granted to the previous owner, to grant certain dimensional relief based upon structural hardship, and to grant the Applicant a time variance, until May 1, 2013, to correct any outstanding deficiencies that remain in this facility. The motion passed over the opposition vote of Commissioner Burlingame.

APPEAL #100123: Cranston Arc, for the property located at 10 Cavalry Street in Cranston. Chief of Inspections Scott Caron and Deputy State Fire Marshal Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioners Richard and Jasparro, to grant the Applicant a time variance of ninety (90) days to correct the outstanding

deficiencies within this facility. The motion passed.

APPEAL #090025: Hughes Associates, for the property located at 159 Division Street in East Greenwich. DSFM Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Burlingame made a motion, seconded by Commissioner Sylvester, to approve the Applicant's plan of action presented. The motion was unanimous.

Respectfully submitted

Carol Marsella